



TOWN OF CONCORD

Department of Planning & Land Management

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To: Select Board
Christopher Whelan, Town Manager

From: Planning Board
Marcia Rasmussen, DPLM Director *MR*
Elizabeth Hughes, Town Planner *EH*

Re: **Planning Board Goals/Projects: 2015-2016**

Date: July 24, 2015

I. Executive Summary

The following memo and table below outlines the goals/projects that were accomplished in 2014-2015, the goals/projects that may need to be reexamined or for which further work is required and new goals/projects the Planning Board is considering for 2015-2016.

STATUS OF GOALS/PROJECTS		
Accomplished	Priority & Housekeeping Goals	Further Consideration Needed
<ul style="list-style-type: none"> Lot Width Exception (Section 6.2.5): Clarified language and chart (2014) Building Height (6.2.11): calculate height the same in all residential districts Residential Compound (Section 8.2.5) & Residential Cluster (Section 9.2.4): Wetland Bylaw reference and open space requirement (2014) Wetland Conservancy District (Section 7.3.1): Wetland Bylaw reference (2014) Earth Removal (7.5) & Wireless Bylaw (7.8): Wetland Bylaw reference (2014) 	<p>PRIORITY GOALS:</p> <ul style="list-style-type: none"> Comprehensive Plan Update Subdivision Rules & Regulations Update Address Mansionization Concerns <p>HOUSEKEEPING GOALS:</p> <ul style="list-style-type: none"> Incorporate Agricultural Exemptions Update Flood Plain Conservancy District Amend Site Plan Review for Religious Uses, Educational Uses and Child Care Facilities 	<p>STUDY & OUTREACH REQUIRED:</p> <ul style="list-style-type: none"> Tree Preservation/Clear Cutting Bylaw Residential Lot Stormwater Bylaw Housing: PRD, multi-family Sustainability: NetZero, Smart Grid

II. Assessment of Goals/Projects

A. Comprehensive Long Range Plan Update – High Priority, High Board and Staff time

This fall the process of conducting the Comprehensive Plan update will begin. This is a process that will require a significant amount of time for the Board liaisons to the Committee (Canally & Kleiman) and fairly regular time and input from the whole Board.

B. Subdivision Rules & Regulations – Medium Priority, Low Board time, Medium Staff time

This fall the Town Planner will be coordinating with the Town Engineering Division on an update to the Subdivision Rules & Regulations to incorporate new stormwater management requirements and LID measures. Revisions to the Rules & Regulations will require a legal notice and public hearing by the Planning Board prior to adoption.

C. Addressing Mansionization – High Priority, High Board and Staff time

The Planning Intern will be presenting his report to the Board at the September 8th meeting (tentatively). The Board will discuss which options they would like to move forward with to address the growing concerns with mansionization. The Planning Board acknowledges that whatever options they decide to move forward with, there will need to be extensive public outreach and education by the Board for any measure to be successful at the 2016 Annual Town Meeting.

D. Agricultural Uses – Medium Priority, Medium Board and Staff time

Changes to State Law in 2013 allow agricultural uses on a minimum of 2 acres (if sales of goods produced equal or exceed \$1,000 per acre per year); only require that 25% of the goods sold are produced on-site; allow greenhouses and other structures for agricultural purposes by-right; and do not allow any zoning bylaw to unreasonably regulate or prohibit agricultural uses. The Planning Board is reviewing a number of sections in the Zoning Bylaw that need to be amended in order to comply with these changes. The Board will also consider whether Site Plan review for such uses, in compliance with regulations for parking, signage, lighting, etc. stated in the Zoning Bylaw, would provide sufficient oversight.

E. Flood Plain Conservancy District – High Priority, Low Board and Staff time

FEMA has accepted the Letter Of Map Revision for the a portion of the Mill Brook from Main Street to Cambridge Turnpike and issued revised Flood Insurance Rate Maps for the area, which will become effective August 15, 2015. The change in the 100-year flood plain boundary is significant in some areas of the Mill Brook and will remove many houses from the flood plain. This means property owners will no longer have to pay flood insurance. However, for this new flood plain boundary to be accepted as the new boundary for the Flood Plain Conservancy District, it will have to be adopted by Town Meeting. The Planning Board will have a warrant article to amend the Flood Plain Conservancy District boundary prepared early this fall in the event there is a Special Town Meeting scheduled.

For a permitted use within the Flood Plain Conservancy District, Section 7.2.5.2 requires a Special Permit from the Board of Appeals provided that the land designated as being within the Flood Plain Conservancy District is found to be not, in fact, subject to flooding through a letter of Map Amendment, Letter of Map Revision or physical map revision by FEMA. It does not seem to make sense to require a property owner get a Special Permit if they are in fact not in the flood plain. The Board of Appeals would simply consider the FEMA determination and a site plan showing the boundary of the 100-year flood plain based on the determination before granting the Special Permit. This Section could be moved

to Section 7.2.4 *Uses permitted without review by the Board* with review of the FEMA determination and site plan by Building Inspections prior to issuing a building permit.

F. Site Plan Review for Religious Uses, Educational Uses and Child Care Facilities – Low Priority, Low Board and Staff time

Section 11.8.7.1 identifies items that shall be considered when evaluating a Site Plan for religious uses, educational uses and child care facilities. There is no evaluation of the adequacy of stormwater management, methods of disposal of refuse or fire protection. It is recommended that the following items be added:

- (e) Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers, and preservation of views, light and air;
- (f) Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;
- (g) Adequacy of fire protection measures

Additionally, this section will be amended to include agricultural uses identified in Item D above.

G. Tree Preservation/Clear Cutting Bylaw – Medium Priority, Medium Board and Staff time

The Board discussed the development of a Zoning or General Bylaw regulating the amount of tree clearing as part of the construction of a single family dwelling. Board member Whiting Cash researched this topic and believes there are multiple ways to address this issue and concerns related to private property rights. The Board determined a lot of research must be done and public support generated before moving forward to Town Meeting. The Board will appoint a subcommittee this fall that will include a Board member and interested citizens to look into this topic further, do outreach to stakeholders and the community, and present options for consideration by the Board next summer with a possible bylaw amendment in 2017.

H. Residential Lot Stormwater Bylaw – Low Priority, Low Board and Staff time

The Board has discussed creating a mini Stormwater Regulation for the construction of single-family dwellings that may include a requirement for stormwater calculations for new construction, limitations on fill, and information about simple and inexpensive methods for controlling stormwater issues on private lots. The Board acknowledges the similar difficulties with this type of bylaw as a tree preservation bylaw and determined they would do further research into this topic.

I. Housing – Medium Priority – Medium Board time and Medium/High Staff time

The update to the Housing Production Plan is expected to be completed this fall. While there will not be sufficient time to analyze and vet recommendations for major amendments to the Zoning Bylaw, there may be some noncontroversial minor options that can be considered. The Board will be discussing potential amendments to the PRD Bylaw that may include a requirement for affordable housing that can be included on the Subsidized Housing Inventory, the submission of a by-right plan and revisions to the processing of PRD applications.

J. Sustainability – High Priority, Time incorporated into Comprehensive Plan Update

Board member Kleiman put forwarded for discussion two potential projects; Smart Grid and Net Zero bylaw. The Smart Grid project would establish a task force that would investigate options for advancing "smart grid" capabilities in Town of Concord that would enable better and more flexible management of

energy distribution, sourcing, and use consistent with Concord's Sustainability Principles and work toward road-mapping a plan for actionable items for the Town to undertake. The Net Zero project is to establish a task force that will investigate options for putting Concord on a trajectory to achieve net zero emissions of greenhouse gases. The Board determined that both of these concepts should be discussed as part of the update to the Comprehensive Plan.